

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, OCTOBER 28, 2008**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, October 28, 2008, commencing at 7:00 a.m.

Present: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, Council Member Katzakian, and Mayor Mounce

Absent: None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. Topic(s)

B-1 State Legislation Briefing (CM)

City Manager King briefly introduced the subject matter of the State legislative briefing.

Stephen Qualls, representative of the League of California Cities, provided a presentation regarding the State legislative session. Mr. Qualls reviewed various League priority bills affecting local government including employee relations bills (AB 2754, AB 2918, AB 3063, SB 1115, and SB 1296), environmental quality bills (AB 31, AB 2270, AB 2347, AB 2939, SB 1016, SB 1357, and SB 1548), public utilities and energy bills (AB 2466 and SB 980), land use and housing bills (AB 749, AB 842, AB 2000, AB 2280, AB 2494, SB 375, and AB 992), public safety bills (AB 38, AB 759, AB 844, AB 1724, AB 1751, AB 1859, AB 2151, AB 2262, and SB 1519), revenue and taxation bills (AB 697, AB 1221, AB 1451, SB 301, and SB 1064), transportation and public works bills (AB 642, AB 983, and AB 2295), and miscellaneous bills (AB 2537, AB 2427, AB 2610, and SB 1124).

In response to Council Member Johnson, Mr. Qualls and Mr. King stated that the League's concern with AB 2754 was that it would presumptively make the cities liable through workers compensation for staph infections and the like for public safety employees.

In response to Council Member Hitchcock, Mr. Qualls stated SB 375 does not affect the general plan process at all as long as cities meet the greenhouse gas reduction requirements. Mr. Qualls stated cities will need to do an analysis on how well they are meeting the requirements and some funds were provided to do these studies.

In response to Mayor Mounce, Mr. King stated the biggest difference between SB 375 and AB 32 is that allocation numbers are now given for targeted figures in a particular area. He stated the Regional Housing Needs Assessment process was extended from five years to eight years and SB 375 is a regional target rather than an individual target. Mr. Qualls stated the implementation process of the bill is still being vetted.

In response to Council Member Hitchcock, Mr. Qualls stated SB 375 allows the cities to have greater control with their respective general plan and housing processes than was proposed without the bill.

In response to Mayor Mounce, Mr. Qualls stated the two-year time period allowed the League to continue working with the SB 375 author to help retain cities as much local control as possible.

In response to Myrna Wetzel, Mr. King stated there will still be a stand-alone cap and trade program, which will set forth requirements for projects. He stated he is not sure of what specific affect the new law will have in that area.

In response to City Manager King, Mr. Qualls stated that, although he is not sure of what specific efforts are being made at the federal level in relation to scrap metal ordinances, he knows the National League of Cities is working on housing issues at the federal level.

In response to Council Member Katzakian, Mr. King and City Attorney Schwabauer stated the new law for design build may be applicable to a proposed treat and drink facility. Mr. King stated charter cities already had the ability to do design build projects before the law went into effect and now general law cities have the same option. Mr. Schwabauer stated that, based on his conversation with Assembly Member Wolk's office, the legislation does mention design build for water treatment plants in one place, but neglects to mention it another and therefore there may be some argument as to whether or not it could apply.

In response to Council Member Hitchcock, Mr. Schwabauer stated he believed that the legislation was written as it was intentionally to leave some flexibility for cities.

In response to Mayor Pro Tempore Hansen, Mr. Schwabauer stated unions are opposed to the design build proposition in general.

In response to Council Member Johnson, Mr. Schwabauer stated the City is going to say that the design build legislation does apply to a water treatment project.

In response to Mayor Mounce and Mayor Pro Tempore Hansen, Mr. Schwabauer stated AB 2427 is very broad and leaves room for the smaller massage establishments to continue to be regulated by local ordinances, but preempts local regulation of any that are licensed through the State already, for which the requirements are minimal.

In response to City Manager King and City Attorney Schwabauer, Mr. Qualls stated that, because AB 2427, along with other bills, was vetoed because the Governor did not have time to review the legislation, he believed the legislation would be coming back next session.

C. Comments by Public on Non-Agenda Items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 7:51 a.m.

ATTEST:

Randi Johl
City Clerk